

DATE

Mr. Jay Clune  
President, Nicholls State University  
P.O. Box 2001  
Thibodaux, LA 70310

**Re: Louisiana Board of Ethics Docket No. 2021-1042  
Advisory Opinion**

Dear Mr. Clune:

The Louisiana Board of Ethics, at its February 4, 2022 meeting, considered your request for the approval of a disqualification plan under the provisions of the Code of Governmental Ethics ("Code") concerning Dr. Quenton Fontenot, Head of the Biological Sciences Department (the "Department"), and his wife, Dr. Allyse Ferrara, a faculty member in the Department.

**FACTS PROVIDED**

Dr. Quenton Fontenot has been employed with NSU in the Department since 2002, and became head of the Department in August 2017. The Department is in the College of Live Sciences and Technology. Dr. Fontenot's wife, Dr. Allyse Ferrara, has been employed as a faculty member in the Department since 2002.

**DISQUALIFICATION PLAN**

NSU has submitted a plan to avoid any potential violation of La. R.S. 42:1112 whereby Dr. Fontenot would recuse himself from participating in any transaction involving Dr. Ferrara, including but not limited to the following: employment requisitions, promotional advancements or pay changes, performance evaluations, approval of timesheets, approval of travel and reimbursements, approval of purchase requisitions, approval of fundraising, approval of grant documents and funds, and any other transactions in which Dr. Ferrara would have a substantial economic interest. In these matters, Dr. John Doucet, Dean of the College of Life Sciences and Technology, will function as the initiator or approver.

**LAW**

**La. R.S. 42:1112B(1)** states that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest.

**La. R.S. 42:1112C** allows a disqualification plan to be developed in accordance with rules adopted by the Board to remove a public servant from participating in transactions that would otherwise present violations of Section 1112 of the Code.

**Chapter 14 of the Rules of the Board of Ethics** sets forth the criteria and requirements for the contents of the disqualification plan.

## ANALYSIS

Since the disqualification plan removes Dr. Fontenot from participating in matters in which his wife would have an economic interest and provides that Dean Doucet will participate in those matters, it resolves future participation issues. Also, based on the documentation provided, the plan as proposed complies with the criteria set forth in Chapter 14 of the Rules for the Board of Ethics.

## CONCLUSION

Based on the facts presented, the Board concluded, and instructed me to inform you, that the proposed disqualification plan meets the requirements of Chapter 14 of Title 52 of the Louisiana Administrative Code - Rules of the Board of Ethics.

Changes to the facts as presented may result in a different application of the provisions of the Louisiana Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Louisiana Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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Charles E. Reeves, Jr.  
For the Board

**DISCLAIMER**  
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.